

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|-----------------------------|---|---------------------|
| SHAUN GUESS, | : | CIVIL ACTION |
| Plaintiff, | : | |
| | : | No. 18-2948 |
| v. | : | |
| | : | |
| PHILADELPHIA HOUSING | : | |
| AUTHORITY, | : | |
| Defendant. | : | |

ORDER

This 24th day of January, 2019, upon consideration of Defendant's Motion to Dismiss (ECF No. 16), Plaintiff's Response (ECF No. 17), Defendant's Reply (ECF No. 18), and Plaintiff's Sur-Reply (ECF No. 19), it is hereby **ORDERED** that Defendant's Motion is **GRANTED**. Count I and Count II, to the extent it pleads discrimination based on perceived sexual orientation, of Plaintiff's First Amended Complaint are hereby **DISMISSED** without prejudice.

/s/ Gerald Austin McHugh

Gerald Austin McHugh
United States District Judge